

§91.1051 Pilot safety background check.

Within 90 days of an individual beginning service as a pilot, the program manager must request the following information:

- (a) FAA records pertaining to—
 - (1) Current pilot certificates and associated type ratings.
 - (2) Current medical certificates.
 - (3) Summaries of legal enforcement actions resulting in a finding by the Administrator of a violation.
- (b) Records from all previous employers during the five years preceding the date of the employment application where the applicant worked as a pilot. If any of these firms are in bankruptcy, the records must be requested from the trustees in bankruptcy for those employees. If the previous employer is no longer in business, a documented good faith effort must be made to obtain the records. Records from previous employers must include, as applicable—
 - (1) Crew member records.
 - (2) Drug testing—collection, testing, and rehabilitation records pertaining to the individual.
 - (3) Alcohol misuse prevention program records pertaining to the individual.
 - (4) The applicant's individual record that includes certifications, ratings, aeronautical experience, effective date and class of the medical certificate.

§91.1053 Crewmember experience.

- (a) No program manager or owner may use any person, nor may any person serve, as a pilot in command or second in command of a program aircraft, or as a flight attendant on a program aircraft, in program operations under this subpart unless that person has met the applicable requirements of part 61 of this chapter and has the following experience and ratings:
 - (1) Total flight time for all pilots:
 - (i) Pilot in command—A minimum of 1,500 hours.
 - (ii) Second in command—A minimum of 500 hours.
 - (2) For multi-engine turbine-powered fixed-wing and powered-lift aircraft, the following FAA certification and ratings requirements:
 - (i) Pilot in command—Airline transport pilot and applicable type ratings.

- (ii) Second in command—Commercial pilot and instrument ratings.

- (iii) Flight attendant (if required or used)—Appropriately trained personnel.

(3) For all other aircraft, the following FAA certification and rating requirements:

- (i) Pilot in command—Commercial pilot and instrument ratings.

- (ii) Second in command—Commercial pilot and instrument ratings.

- (iii) Flight attendant (if required or used)—Appropriately trained personnel.

(b) The Administrator may authorize deviations from paragraph (a)(1) of this section if the Flight Standards District Office that issued the program manager's management specifications finds that the crewmember has comparable experience, and can effectively perform the functions associated with the position in accordance with the requirements of this chapter. Grants of deviation under this paragraph may be granted after consideration of the size and scope of the operation, the qualifications of the intended personnel and the circumstances set forth in §91.1055(b)(1) through (3). The Administrator may, at any time, terminate any grant of deviation authority issued under this paragraph.

§91.1055 Pilot operating limitations and pairing requirement.

(a) If the second in command of a fixed-wing program aircraft has fewer than 100 hours of flight time as second in command flying in the aircraft make and model and, if a type rating is required, in the type aircraft being flown, and the pilot in command is not an appropriately qualified check pilot, the pilot in command shall make all takeoffs and landings in any of the following situations:

- (1) Landings at the destination airport when a Destination Airport Analysis is required by §91.1037(c); and

- (2) In any of the following conditions:

- (i) The prevailing visibility for the airport is at or below 3/4 mile.

- (ii) The runway visual range for the runway to be used is at or below 4,000 feet.